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CIVIL AND POLITICAL RIGHTS, INCLUDING THE QUESTION OF: FREEDOM OF EXPRESSION

Written statement*/ submitted by Reporters without Borders-International, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[1 February 2001]

*/ This written statement is issued, unedited, as received in English and French from the

ALGERIA

Five journalists "missing":
No serious investigation
The security forces implicated in three cases

"But who talks about it? Who would dare? Fear kills, words execute free expression and muzzle languages. Don't breathe a word: omertà is life insurance"

Djamil Fahassi, "missing" since 6 May 1995

Between 1994 and 1997, five journalists "disappeared" in Algeria: Aziz Bouabdallah, Kaddour Bousselham, Djamil Fahassi, Mohamed Hassaïne and Salah Kitouni. About 7,000 people are currently reported "missing" in Algeria, according to Algerian human rights associations.

A RSF mission went to Algeria from 14 to 19 January 2001 to investigate these five cases of "missing" journalists.

Aziz Bouabdallah
Aziz Bouabdallah, born in 1974, worked from 1996 for the daily *El-Alam Es-Siyassi*.

On 12 April 1997 at 11.30 p.m. the doorbell rang at Aziz Bouabdallah's home. A voice ordered: "Open, police!". Two "very well-dressed men in civilian clothes, like members of the military security police", according to the family, entered the flat and took the journalist. "That was the last time we saw him", explained his father.

A captain in the police who knows the family affirmed that he was responsible for the "operation" and explained that Aziz Bouabdallah "had done nothing. He simply wrote a libellous article". He added: "He's had some very rough treatment but he'll be well-treated". In the following weeks the family tried in vain to contact the captain again.

On 19 April 1997 the sister of one of Aziz Bouabdallah's friends who was arrested and released two days earlier explained to the journalist's mother: "Don't worry, your son is in Ben Aknoun jail. He's soon going to be released".

Multiple steps taken by Aziz Bouabdallah's parents resulted, on 20 May 2000, in the case being dismissed by the Algiers court for lack of evidence. In the court of criminal appeal had cancelled this dismissal. On 30 September 2000 the family received a second notification, from another court, that the case had been dismissed by another judge.

To date, the investigation by the authorities has been limited, according to the journalist's family, to police questioning of Aziz's parents five or six times. According to Aziz's mother, nobody else has been questioned.

Kaddour Bousselham
Kaddour Bousselham, correspondent for the state-owned daily *Horizons* in Hacine, was housed with his family in a tent in an "centre for earthquake victims" after an earthquake in the region in August 1994.

In the evening of 29 October 1994 four armed men went to the "centre for earthquake victims", grabbed him and threw him into a car.

In 1998, the emir Farouk, told the Oran court that Kaddour Bousselham had his throat slit by another emir, Zoubir. According to Farouk, his body was buried with others on Mount

According to the justice ministry, a preliminary investigation was launched on 27 November 1994. On 18 February 1995 the case was dismissed for lack of evidence.

Djamil Fahassi
Djamil Fahassi, journalist with *Chaine 3*, a programme in French on the state-owned radio station, was detained six months in 1991 for writing an article published in *El Forkane*, a French-language weekly of the Islamic Salvation Front (FIS).

From February to March1992, he is incarcerated at the Ain Salah prison, one of the detention camps for Islamists in the Sahara. "On his return Djamil was again under pressure", explained a former colleague who noted that the journalist was a victim of psychological harassment by the then editor-in-chief, Chadli Boufaroua. In April 1995 he took six months' unpaid leave and tried, in vain, to join his brother in Germany. The invitation he needed arrived only after his "disappearance". According to his wife their post was blocked.

On 6 May 1995 Djamil Fahassi visited a friend who had a restaurant in the El Harrach neighbourhood in Algiers. At 3 p.m. he left the restaurant. In the street, two men in civilian clothes forced him to get into the car. According to witnesses, the car had been waiting there for several hours. They say that the vehicle had no problem getting through a police roadblock near the El Harrach jail.

Djamil Fahassi's wife was summoned four times in total for the investigation. This questioning never lasted more than an hour. No other member of the journalist's family nor any of his friends or colleagues have been questioned in the inquiry.

Yet, according to the justice ministry, a preliminary investigation into this affair was launched by the Algiers court. In July 1999 an ex-detainee told a friend of the family that "in 1997 [he was] in jail with the journalist Djamil Fahassi from *Chaine 3*".

Mohamed Hassaine
Mohamed Hassaine, local correspondent for the daily *Alger Republicain*, was kidnapped on 28 February 1994 at about 7.30 a.m. as he left his Larbatache home (wilaya de Boumerdès) to go to work. According to his friends and family, the four men who kidnapped Mohamed Hassaine belonged to armed Islamist groups. "Reformed" Islamists claim that he was murdered the same day.

Salah Kitouni
In December 1990, Salah Kitouni created in Constantine an Arabic-language weekly with a friend. This newspaper, *El Nour*, had Islamist leanings. In October 1992 his newspaper was suspended by the communication ministry.

On 1 July 1996 three plain-clothes' police officers went to Salah Kitouni's home and asked to see him. He was in Algiers at the time. On 3 July the journalist went to the police station to see why he was wanted. After being held for questioning for three days, he was released on 6 July with a new summons to return on 9 July. On 9 July he returned to the police station. The next day two police officers went with him to his parents-in-law's home to get "documents". The journalist barely had the time to reassure his wife and parents-in-law: "Don't be afraid, everything's alright". That was the last time his family saw him or had any news of him.

Salah's mother went many times to the police station for news of her son, in vain. In 1997 she was summoned to the police station where a secretary gave her a statement which specified: "Kitouni Salah, was arrested by our services and transferred to the territorial investigation centre of the 5th military region on 19 July 1996". The journalist's mother then sent two letters, dated 15 April and 30 December 1997, to the head of the 5th military region. She received no answer.

In August 2000, the journalist's wife was summoned by the police for a questioning of half an hour.

According to the lawyer of Salah Kitouni's family, there were no grounds for the journalist's arrest: "If he was guilty of anything he would not have gone to the police station of his own accord on his return from Algiers. And he would certainly not have returned when summoned on the 9th".

Conclusion and recommendations

The RSF delegation was constantly followed by unmarked police cars in Algiers and Constantine. This surveillance could only accentuate the pressure on all people likely to have information on the cases of these "missing persons".

The investigations carried out by RSF show that in the case of three journalists – Aziz Bouabdallah, Djamil Fahassi and Salah Kitouni – the Algerian judiciary has shown an interest in these cases only under pressure from national and international human rights organisations. There is no doubt whatsoever that the authorities are fully responsible for the "disappearance" of these three journalists. Everything points to the fact that the political leanings of two of them – Djamil Fahassi and Salah Kitouni – are the real reasons for them "disappearing". They were accused of sympathising with Islamist views. No serious investigation has been conducted to identify the persons responsible for these "disappearances". Moreover, the authorities' refusal to meet the RSF delegation attests to the indifference of the public authorities as regards the "missing persons" cases.

Reporters Sans Frontières wishes to remind the Algerian authorities that Algeria, as a member of the United Nations, is bound to comply with the declaration on the protection of all persons against forced disappearance, adopted on 18 December 1992 by the UN General Assembly.

The organisation asks the Algerian authorities for exhaustive and independent investigations to be conducted on the case of each "missing" journalist, and for their families to be informed of the result of these investigations.

RSF requests that the Algerian authorities collaborate with the United Nations work group on "forced disappearances" and with international NGOs.

RSF asks the European parliament to send a mission to Algeria to meet political authorities and the families, friends, colleagues and lawyers of "missing persons" and particularly of the five journalists cited in this report, as well as local human rights organisations.